



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

June 23, 2020

BY ECF

The Honorable Valerie E. Caproni
United States District Judge
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, New York 10007

Re: *United States v. Zhongsan Liu*, S1 19 Cr. 804 (VEC)

Dear Judge Caproni:

The Government writes to respectfully request an adjournment of the deadline by which to respond to the defendant's anticipated motion to suppress FISA-derived evidence from August 3 to August 20, 2020. The Government is not seeking an extension of time to respond to any other pretrial motion that the defendant may file.


The defendant previously informed the Government that it expects to file a motion to suppress FISA-derived evidence that the Government may introduce at trial. On March 25, 2020, the Court extended the deadline for the submission of the Government's CIPA motion and the defendant's pretrial motions to June 8, 2020. In addition, the Court ordered the Government to respond to the defendant's pretrial motions within 30 days of their filing. On June 3, 2020, the Court again extended the defendant's deadline to file pretrial motions to July 20, 2020 and ordered the Government to submit its opposition by August 3, 2020, a two-week period.

In the event the defendant moves to suppress FISA-derived evidence, the Government respectfully seeks 30 days, the original time period set by the Court, in which to respond to that motion. As the Court is aware, in responding to the defendant's anticipated FISA suppression motion, the prosecutors responsible for this matter will have to address classified matters and will have to coordinate their response with other components of the Department of Justice. Without seeing the specific arguments raised in the defendant's suppression motion, the Government is limited in the extent to which it can begin preparing its opposition in advance of the defendant's filing. In light of the heightened coordination necessary to respond to a FISA suppression motion and the necessity of addressing classified matters in the Government's response, the Government respectfully requests that the Court permit the Government to file its response to any such motion no later than August 20, 2020.

The defendant has consented to the Government's request and asks for three weeks to file his reply to the Government's opposition to the FISA motion.

Respectfully submitted,

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Southern District of New York

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cc: Defense Counsel (by ECF)